

SECTION 01005**DEFINED TERMS****PART 1 - GENERAL****1.01 SCOPE**

When used in this publication the following underlined terms shall have meaning as hereinafter defined:

- A. The masculine pronoun shall include the feminine and neuter, and the singular shall include the plural;
- B. "And" shall also mean "or" and "or" shall also mean "and", wherever the context or purpose so requires;
- C. "Person" shall mean and include any individual, combination of individuals, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise;
- D. "County", "Dade County", "Miami-Dade County" or "Metropolitan Dade County (MDC)" shall mean Miami Dade County, Florida, a political subdivision of the State of Florida, acting by and through the Board of County Commissioners, which is a party hereto and for which this Contract is to be performed;
- E. "Department" shall mean the Miami-Dade Water and Sewer Department of Miami-Dade County, Florida;
- F. "Director" shall mean the Director of the Miami-Dade Water and Sewer Department;
- G. "Engineer" shall mean the Chief, Engineering Division of the Miami Dade Water and Sewer Department or an authorized representative;
- H. "Inspector" shall mean any person designated by the Engineer to examine and inspect materials and work for the purpose of insuring compliance by the Contractor with all requirements of the Plans and Specifications;
- I. "Developer" shall mean the person, who has entered into an agreement with the Department to construct a Project.
- J. "Contractor" shall mean the party of the second part to the contract. The person, firm, or corporation, holding a current Certificate of Competency applicable to the type of work to be performed, with whom a contract has been made directly or through accredited representatives, that may have entered into a contract with the County and who is primarily liable for the acceptable performance of the work for which he has contracted and also for the payment of all

legal debts pertaining to the work, or Contractor shall mean any person engaged by the Developer to supply labor, materials or equipment for use in the fulfillment of the project.

- K. "Subcontractor" shall mean any person engaged by the Contractor to supply labor, materials or equipment for use in the fulfillment of the Project;
- L. "Engineer of Record" shall mean the Florida-certified professional engineer engaged by the Developer or the Department to design the proposed Project.
- M. "Project" shall mean and include all construction for which the Contractor is responsible under the Contract Documents, or shall mean and include all construction for which the Developer or Engineer of Record is responsible under the agreement with the Department.
- N. "Plans" shall mean construction drawings prepared by the Developer or Engineer of Record for the proposed Project.
- O. "Standards Details" or "Standards" the Department's latest published standard construction details, copies of which are bound herein.
- P. "Equal" or "Approved Equal" shall mean only that material or product which is specifically approved by the Engineer as being an acceptable substitute for a material or product designated in the Specifications or by a trade name or the name of the manufacturer.
- Q. "Domestic" when applied to materials, shall mean materials or products produced within the continental limits of the United States.
- R. "Water level" or "water table" shall mean the top elevation of the natural ground water table as it exists in the trench at any particular site and time during the installation.
- S. "Surveyor" shall mean a professional surveyor registered in the State of Florida to engage in the practice of surveying.

PART 2 - PRODUCTS

(Not Used)

PART 3 - EXECUTION

(Not Used)

END OF SECTION